

27 JUN 2005  
PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

**Augustinus BADER**

Conf. No.: 3519

Appln. No.: 10/518,628

Group Art Unit: 0000

Filed: December 20, 2004

Examiner: Unassigned

For: **METHOD AND DEVICE FOR MULTIPLYING AND  
DIFFERENTIATING CELLS IN THE PRESENCE  
OF GROWTH FACTORS AND OF A BIOLOGICAL  
MATRIX OR OF A SUPPORTING STRUCTURE**

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §§ 1.97 and 1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form which the Examiner may deem material to patentability of the claims of the above-identified application.

A copy of each of the listed documents (except U.S. patents, applications and/or co-pending application), along with an International Search Report (indicating the degree of relevance found by the Foreign Patent Office) dated February 9, 2004, is submitted herewith.

Note, the following listed references are cited in the specification: US Patent 6,008,047, Bader et al, *Artif. Organs*, 19(4):368-374 (1995), EP 1 201 246 and WO/95/21919. Hence, they do not appear on the International Search Report.

**INFORMATION DISCLOSURE STATEMENT**  
**U.S. Appln. No. 10/518,628**


Additionally, the following listed references do not appear on the International Search Report:

WO 95/21920; WO 95/27646; EP 0 148 605; EP 0 205 564; EP 0 209 539; EP 0 267 678; EP 0 411 678; EP 0 989 867; and EP 1 172 120.

The present Information Disclosure Statement is being filed after three months from the application's filing date, but before the mailing date of an Office Action on the merits. Therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Respectfully submitted,

  
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WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: June 27, 2005

Substitute for Form 1449 A & B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>				<i>Complete if Known</i>	
				Application Number	10/518,628
				Confirmation Number	0000
				Filing Date	December 20, 2004
				First Named Inventor	Augustinus BADER
				Art Unit	0000
				Examiner Name	Unassigned
				Attorney Docket Number	Q-85446
Sheet	1	of	1		

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code <sup>2</sup> (if known)		
		US 5,919,702		07/06/1999	Purchio et al
		US 6,008,047		12/28/1999	Curcio et al

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)			
		WO	96/27657		09/12/1996	Massachusetts Inst. Technology	
		WO	90/10647		09/20/1990	Univ. California	
		WO	01/48153		07/05/2001	Children's Medical Center	
		EP	0 358 506		03/14/1990	Marrow Tech Inc.	
		EP	1 201 246		05/02/2002	Genentech, Inc.	
		WO	95/21919		08/17/1995	Kirin Brewery Company Limited	
		WO	95/21920		08/17/1995	Zymogenetics, Inc.	
		WO	95/27646		10/12/1995	Amgen, Inc.	
		EP	0 148 605		07/17/1985	Kirin-Amgen, Inc.	
		EP	0 205 564		06/21/2000	Genetics Institute, Inc.	
		EP	0 209 539		05/20/1992	Genetics Institute, Inc.	
		EP	0 267 678		05/18/1988	Integrated Genetics Inc.	
		EP	0 411 678		02/06/1991	Genetics Institute, Inc.	
		EP	0 989 867		04/05/2000	Bader et al	Abstract
		EP	1 172 120		07/14/2000	Bionacor GmbH	Abstract

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation <sup>6</sup>	
		Ratajczak et al, <i>Folia Histochemica et Cytobologica</i> , <u>36(2):55-60</u> (1998)		
		Kawai et al, <i>Biomaterials</i> , <u>21(5):489-499</u> (2000)		
		Bader et al, <i>Artif. Organs</i> , <u>19(4):368-374</u> (1995)		

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov), MPEP 901.04 or in the comment box of this document. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to indicate here if English language Translation is attached.